



Financial Responsibility for Installers and Manufacturers of Underground Storage Tanks

Hazardous Waste Management Program

08/2011

What is the Financial Responsibility requirement?

In accordance with Section 414.035, RSMo: Any person who manufactures an aboveground or underground fuel storage tank for use in this state, or piping for such tank, or who installs or repairs a fuel storage tank system in Missouri, shall annually apply for a registration from the Department of Agriculture's Division of Weights and Measures on an *Application for Annual Registration* form and provide evidence of financial responsibility for the costs of corrective action directly related to releases caused by improper manufacture, installation, or repair of such tank and piping. This requirement does not apply to the installation or repair of fuel storage tank systems by the tank owner or operator.

To demonstrate evidence of financial responsibility, the manufacturer or installer shall provide a financial responsibility mechanism that provides coverage of at least one \$1 million per occurrence and \$2 million annual aggregate while clearly identifying who is insured, the retroactive date of such coverage and the term of coverage.

To whom and when must the evidence of financial responsibility be provided?

Installers and manufacturers can find the application for annual registration online at mda.mo.gov/weights/pdf/petroleumsp_finrespapp.pdf or by contacting the Missouri Department of Agriculture, Division of Weights and Measures at P.O. Box 630, Jefferson City, MO 65102 or by telephone at 573-751-4278.

How and where must manufacturers and installers maintain evidence of financial responsibility?

Once the applicable documentation is filed with the Department of Agriculture, a copy should be kept on hand for review.

If an underground storage tank system is permanently closed, in accordance with 40 CFR 280.71, who needs to notify the manufacturer and installer.

If the tank system is permanently closed, the tank owner or operator is responsible for notifying the Department of Natural Resources with the submittal of the following forms:

- *Closure Notice for Petroleum Releases at Underground Storage Tank Sites* (780-2121), available online at www.dnr.mo.gov/forms/780-2121-f.pdf.
- *Closure Report for Petroleum Releases at Underground Storage Tank Sites* (780-2120), available online at www.dnr.mo.gov/forms/7802120-f.pdf.

The tank owner/operator is responsible for notifying the installers and manufacturers of the tank system that the tank system has been permanently closed.

If the manufacturer or installer files for bankruptcy or ceases operation for any other reason, whom shall they notify and when?

The manufacturer or installer is responsible for notifying the Department of Agriculture and the tank owner or operator they have filed for bankruptcy or are ceasing operation and will no longer be providing financial responsibility for the installation or manufacture of any part of the tank system.

For more information

Contact the Department of Agriculture, Division of Weights and Measures, 573-751-4316.

Missouri Department of Natural Resources

Hazardous Waste Program

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www.dnr.mo.gov/env/hwp